

Congress of the United States

Washington, DC 20515

May 15, 2024

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20528

Dear Secretary Mayorkas,

Haiti remains in a state of extreme turmoil, with armed gangs terrorizing its population and causing the shutdown of critical infrastructure. Haiti's citizens face extraordinary threats of violence, fear for their lives, and endure daily hardships as a new government struggles to regain control of the country. Yet despite this state of affairs, the United States recently resumed deportation flights to Haiti that it had suspended months ago. We urge you to revisit that decision and ask you to halt all deportations, repatriations, and returns from the United States to Haiti during this time of humanitarian crisis.

Haiti is being overrun by gangs. According to Secretary of State Antony Blinken, “[g]angs now control 80 percent of the capital, Port-au-Prince. Armed groups use sexual assault and rape to terrorize the population. The violence has also had the effect of blocking trade and aid routes, and shuttered schools.”¹ Indeed, gangs have attacked and overtaken major airports in Haiti.² It is unclear which airports are operational, and deportation flights to certain airports would directly place Haitian nationals at the mercy of the gangs that control them.

The situation in Haiti is so bad that, last July, the Department of State issued a travel advisory, warning U.S. citizens: “Do not travel to Haiti due to kidnapping, crime, civil unrest, and poor health care infrastructure.”³ The State Department apparently views the situation in Haiti as so dangerous that it also “ordered the departure of family members of U.S. government employees and non-emergency U.S. government employees” and directed U.S. citizens in Haiti

¹ Rising to the Challenge on Haiti: Multinational Security Support Mission Ministerial Meeting, Remarks by Secretary of State Antony J. Blinken (Feb. 22, 2024),

<https://www.state.gov/rising-to-the-challenge-on-haiti-multinational-security-support-mission-ministerial-meeting/>.

² Stephen Hu & Michael Rios, *Haiti's Leader to Resign as Gangs Run Rampant through Country Engulfed in Crisis*, CNN (Mar. 12, 2024), <https://www.cnn.com/2024/03/11/americas/haiti-pm-ariel-henry-resigns-gang-violence-intl-hnk/index.html>.

³ Haiti Travel Advisory, U.S. Dep't of State (July 27, 2023),

<https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/haiti-travel-advisory.html>.

to “depart Haiti as soon as possible by commercial or other privately available transportation options, in light of the current security situation and infrastructure challenges.”⁴

On April 25, 2024, Haitian Prime Minister Henry tendered his resignation, clearing the way for a presidential transition council to take power, form a new government, and pave the way for elections.⁵ Henry was forced to resign over the conditions in the country, where, according to reports, “social order is on the brink of collapse.”⁶ The Henry government’s collapse only underscores the chaos that exists within Haiti.

Notwithstanding the dangerous situation on the ground in Haiti, the United States recently resumed deportation flights that it had suspended in January 2024,⁷ and is also returning Haitians who are interdicted at sea.⁸ Several of us previously urged you to halt any deportation flights to Haiti, and we reiterate that request now.⁹ We recognize that individuals who may not legally reside in the United States must eventually return to their countries of origin. But conditions in Haiti at this time are so extreme that any deportation likely places a returned person at risk of significant harm. While a new Haitian government seeks to reassert control over the country, the United States should not forcibly return those who fear for their safety.

To better understand the Administration’s position on deportations and returns to Haiti, we respectfully request written responses to the following questions by May X, 2024:

1. Why did the United States resume deportations to Haiti, given the chaotic situation in the country? What criteria, if any, did the Department of Homeland Security (DHS) consider when deciding to resume deportation flights to Haiti?
2. Will the United States reconsider its decision to resume deportation flights to Haiti, and stop other forms of return to the country? If not, why not?
3. How did DHS decide which Haitian airports would receive chartered deportation flights from the United States? To which Haitian airports are those flights going?
4. Does the U.S. Coast Guard evaluate any claims for protections under U.S. immigration laws for migrants it interdicts at sea? If so, how?

⁴ *Id.*

⁵ David C. Adams & Andre Paultre, *Haiti in Crisis Sets Up Ruling Council, Clearing Way for an Acting Leader*, N.Y. Times (Apr. 12, 2024), <https://www.nytimes.com/2024/04/12/world/americas/haiti-transitional-council.html>.

⁶ Caitlin Stephen Hu & Michael Rios, *Haiti’s Leader to Resign as Gangs Run Rampant through Country Engulfed in Crisis*, CNN (Mar. 12, 2024), <https://www.cnn.com/2024/03/11/americas/haiti-pm-ariel-henry-resigns-gang-violence-intl-hnk/index.html>.

⁷ Hamed Aleaziz, *U.S. Restarts Deportation Flights to Haiti*, N.Y. Times (Apr. 18, 2024), <https://www.nytimes.com/2024/04/18/us/politics/us-restarts-deportation-flights-to-haiti.html>.

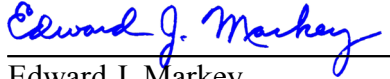
⁸ Julia Ainsley, *The U.S. is Still Sending Haitians Intercepted at Sea Back to Haiti Despite Violence in Their Home Country*, NBC News (Mar. 15, 2024), <https://www.nbcnews.com/politics/immigration/us-sending-haitians-intercepted-sea-back-haiti-violence-rcna143425>.

⁹ Press Release, *Amid Escalating Violence in Haiti, Markey, Pressley, Haiti Caucus Lead Colleagues In Urging Biden Administration to Extend TPS and Halt Deportations*, Office of Senator Edward J. Markey (Mar. 18, 2024), <https://www.markey.senate.gov/news/press-releases/amid-escalating-violence-in-haiti-markey-pressley-haiti-caucus-lead-colleagues-in-urging-biden-administration-to-extend-tps-and-halt-deportations>.

5. How many repatriations has the U.S. Coast Guard made to Haiti in 2024?

Thank you in advance for your attention to this important matter. We look forward to your prompt response.

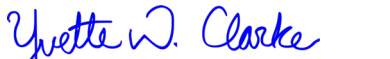
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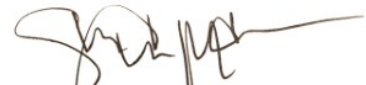
Edward J. Markey
United States Senator



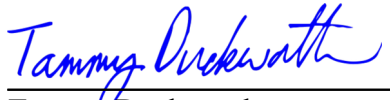
Ayanna Pressley
Member of Congress



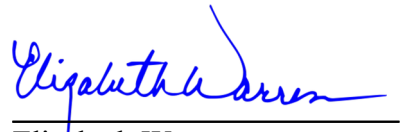
Yvette D. Clarke
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



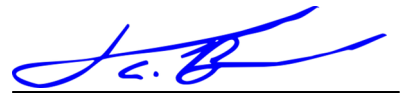
Tammy Duckworth
United States Senator



Elizabeth Warren
United States Senator



Raphael G. Butler
United States Senator



Cory A. Booker
United States Senator

James P. McGovern

James P. McGovern
Member of Congress